

development with an access taken from Colliers Way.

Planning Permission was approved in 2020 for erection of 8 dwellings (application reference 4/20/2034/0F1 relates).

Proposal:

Planning Conditions imposed on application ref. 4/20/2034/0F1 state the following:

4. Prior to the commencement of the development hereby approved, all measures to be taken by the applicant to prevent surface water discharging onto or off the highways must be submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved plans and retained as such at all times thereafter.

Reason

In the interests of highway safety and environmental management.

5. Prior to their first use on the development hereby approved, representative samples of the materials to be used on the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and so maintained thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

This application seeks to discharge the details of these conditions with the submission of the following information:

- Application Form
- Plot 36-37 Brick and Render
- Plot 43-44 Brick and Render
- Plot 51-52 Brick and Render
- Plot 53-54 Brick and Render

- Rainwater Runoff Sketches.

Consultation responses:

Consultee:	Nature of Response:
Local Lead Flood Authority	<p><u>1st Response</u></p> <p>Condition 4 –</p> <p>The LHA have reviewed the supporting information submitted as well as the original plans drawing number 501. Aco channels are proposed across all unit frontages within the original plan drawing number 501 but not within the recently submitted rainwater runoff sketches, The LHA would like to see Aco channels across all frontages as well as the additional measures proposed within the rainwater runoff sketches. If the developer resubmits the rainwater runoff sketches showing Aco channels across all frontages the LHA can discharge Condition 4.</p> <p>Condition 5 –</p> <p>Condition 5 is not for the LHA nor the LLFA to discharge.</p> <p><u>2nd Response</u></p> <p>Condition 4 –</p> <p>Following a site meeting with the applicant not all plots were identified as requiring driveway drainage to eliminate surface water runoff. The applicant has recently submitted images via email to show the work identified has been carried out on site, therefore the LHA are content that condition 4 of this application can be discharged.</p>

Condition 5 –

Condition 5 is not for the LHA or LLFA to discharge.

Neighbour Responses:

No responses have been received.

Development plan policies:

Copeland Local Plan 2013-2028 (Adopted December 2013):

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Core Strategy (CS):

Policy ST1 – Strategic Development Principles

Policy ENV1 – Flood Risk and Risk Management

Development Management Policies (DMP):

Policy DM10 – Achieving Quality of Place

Policy DM24 – Development Proposals and Flood Risk

Other Material Planning Considerations

National Planning Policy Framework 2023 (NPPF)



Cumberland Council

Emerging Copeland Local Plan (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the emerging Copeland Local Plan 2017-2038.

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been examined by the Planning Inspector and their report on the soundness of the plan currently remains awaited.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the NPPF.

The policies relevant to this application are:

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Policy DS6PU: Design and Development Standards

Strategic Policy DS8PU: Reducing Flood Risk

Policy DS9PU: Sustainable Drainage

Policy DS10PU: Soils, Contamination and Land Stability

Assessment:

Condition 4 – Drainage

The initial details of the drainage provided were considered to be insufficient and did not show ACO channels running across the frontage of all properties as proposed during the application process. The Applicant undertook a site visit with the Local Lead Flood Authority where it was explained that not all points required ACO channels as they would not collect

	<p>water. Following assessment on site, this was agreed by the LLFA and photographs submitted to document the completed works.</p> <p>The information has been fully assessed by the Local Lead Flood Authority. Further to requests for more information, no objections have been received with respect to the schemes and therefore it is considered that condition 4 can be discharged.</p> <p><u>Condition 5 – Materials</u></p> <p>Photographs have been provided of the plots to show the materials utilised in building. They are of the same character and design of the completed dwellings on site and match the proposed materials within the planning application. The materials are therefore considered to be acceptable and in keeping with the surrounding street scene. The condition is considered to be discharged.</p> <p><u>Conclusion and planning balance</u></p> <p>Overall, the information submitted is considered to be acceptable to satisfy conditions 4 and 5 of planning permission 4/20/2034/0F1 and therefore these conditions should be considered to be discharged.</p>
8.	<p>Recommendation: Approve discharge of conditions</p>
Case Officer: Sarah Papaleo	Date : 19/09/2023
Authorising Officer: N.J. Hayhurst	Date : 20/09/2023
Dedicated responses to:- N/A	